

# Retention and Classification Report

**Agency:** Department of Health. Division of Family Health and Preparedness. Bureau of Child Development (3229)  
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**Records Officer** Jennifer Franchow

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25433	Child care background non-clearance case files
22098	Child care provider complaint records
22093	Child care provider licensing files
25431	Unlicensed child care provider case files

**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development

**SERIES:** 28130 3

**TITLE:** Child Care - Department of Workforce Services background non-clearance  
case files

**DATES:** 2008-

**ARRANGEMENT:** Alphabetical by last name

**DESCRIPTION:**

Parents who receive child care assistance payments through the Department of Workforce Services may obtain child care from a parent, sibling, relative, or friend (Utah Code 35A-3-310.5). Friends or family members who provide child care are not licensed providers, but if they are to receive payment for their services, they are still required to obtain a criminal background check. The Health Department maintains information about potential friend/family member child care providers who did not pass the background check and therefore are ineligible to be paid for child care. No files are created or maintained for individuals who are cleared. Documents include letters, attestation forms, criminal background screening/licensing information system (CBS/LIS) denial form, and any other documentation regarding the applicant's criminal record. If the subject of a non-clearance case file subsequently has his/her criminal case expunged, the expungement order is included in the file as evidence that the record has been cleared.

**RETENTION:**

Retain 9 years after case has become inactive or until individual ceases to provide child care

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 12/2012

**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development  
**SERIES:** 28130  
**TITLE:** Child Care - Department of Workforce Services background non-clearance  
case files

(continued)

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 4 years after case has become inactive or until individual ceases to provide child care and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

**APPRAISAL:**

Administrative Legal  
Criminal background checks for those who receive child care assistance payments through the Department of Workforce Services are authorized by Utah Code 35A-3-310.5.  
Case files need to be available for Department of Workforce Services hearings.

**PRIMARY CLASSIFICATION:**

Protected      Utah Code 63G-2-305(9) and (10) (2005)

**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development

**SERIES:** 25433

3

**TITLE:** Child care background non-clearance case files

**DATES:** 1998-

**ARRANGEMENT:** Alphabetical by surname of applicant

**ANNUAL ACCUMULATION:** 2.00 cubic feet.

**DESCRIPTION:**

This series is maintained by the agency as part of its effort to comply with legal mandates outlined in UCA 26-39-107 (2005) and Utah Administrative Code R430-6 (2005), which govern background checks for individuals working in child care facilities. The series contains records documenting agency denial of applicants seeking clearance to work in child care facilities. The records are used by the agency to evaluate requests for reconsideration or variance approval for applicants who have been denied clearance. The records are also maintained to document the denial process in the event of legal action. Documents in the series include application forms, Criminal Background Screening/Management Information Systems (CBS/MIS) consent and release of liability forms, correspondence, collateral information submitted by the applicant, court records involving the applicant, and SAFE licensing substantiated criminal history information.

**RETENTION:**

Retain 9 years after case becomes inactive.

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 09/2005

**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development

**SERIES:** 25433

**TITLE:** Child care background non-clearance case files

(continued)

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 4 years after case becomes inactive or provider ceases operation and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

**APPRAISAL:**

Administrative Legal

This disposition is based on the administrative needs expressed by office and reflects the need to have it in the event of legal action.

**PRIMARY CLASSIFICATION:**

Protected UCA 63G-2-305(9) and (10) 2005

**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development

**SERIES:** 22098

3

**TITLE:** Child care provider complaint records

**DATES:** 1997-

**ARRANGEMENT:** Alphabetical by child care facility

**ANNUAL ACCUMULATION:** 5.00 cubic feet.

**DESCRIPTION:**

These records support the agency's function to protect children's common need for a safe and healthy environment and to provide for adequate facilities and competent caregivers at child care institutions (Utah Code 36-39-301 (2014)). These records document complaints against child care providers received by the agency. Records include information about the complainant, the facility, the initial complaint, and the resolution of the case.

**RETENTION:**

Retain 55 years.

**DISPOSITION:**

Transfer to the State Archives with authority to weed provided facility has closed

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 11/1999

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 5 years and then transfer to State Records Center. Retain in State Records Center for 50 years and then transfer to State Archives provided facility has closed.

Computer data files: Retain in Office for 55 years and then transfer to State Archives provided facility has closed.

**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development

**SERIES:** 22098

**TITLE:** Child care provider complaint records

(continued)

**APPRAISAL:**

Administrative Legal

**PRIMARY CLASSIFICATION:**

Exempt                      Utah Code 26-39-5(501)(6) 2008

**SECONDARY CLASSIFICATION(S):**

Protected.                      Utah Code 63G-2-305(10) 2014

**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development

**SERIES:** 22093

3

**TITLE:** Child care provider licensing files

**DATES:** 1997-

**ARRANGEMENT:** Alphabetical by provider name.

**ANNUAL ACCUMULATION:** 5.00 cubic feet.

**DESCRIPTION:**

These records support the agency's function to protect children's common need for a safe and healthy environment and to provide for adequate facilities and competent caregivers at child care institutions (Utah Code 36-39-301 (2014)). These records document compliance and/or non-compliance with state child care regulations for residential, family, and center child care providers. Information includes licensing applications and supporting documentation, inspection results, correspondence, and related records.

**RETENTION:**

Retain 25 years after facility closes.

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 12/1992

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: For records prior to and including 2007. Retain in Office for 2 years after facility closes and then transfer to State Records Center. Retain in State Records Center for 23 years and then destroy.

Paper: For records beginning in 2008 and continuing to the present. Retain in Office until scanned and then destroy.



**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development

**SERIES:** 22093

**TITLE:** Child care provider licensing files

(continued)

Computer data files: For records beginning in 2005 and continuing to the present. Retain in Office for 25 years after facility closes and then delete.

**APPRAISAL:**

Administrative Legal

These records have legal value as they are created in accordance with UCA 26-39-5 (2008).

**PRIMARY CLASSIFICATION:**

Public

**SECONDARY CLASSIFICATION(S):**

Private.	Utah Code 63G-2-302(d) 2014
Protected.	Utah Code 63G-2-305(10) 2014
Exempt.	Utah Code 26-39-5(501)(6) 2008

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 03/2015.

**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development

**SERIES:** 25431

3

**TITLE:** Unlicensed child care provider case files

**DATES:** 1997-

**ARRANGEMENT:** Alphabetical by provider name.

**ANNUAL ACCUMULATION:** 0.30 cubic feet.

**DESCRIPTION:**

This series contains case files created by the agency to document complaints of unlicensed child care providers and ensuing investigations. The files include complaints, investigation documents, and investigation results.

**RETENTION:**

Retain 3 years after case closes.

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule SG 11, Item 64.

**AUTHORIZED:** 07/29/2015

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year after case closes and then transfer to State Records Center. Retain in State Records Center for 2 years and then destroy.

**APPRAISAL:**

Administrative Legal

This appraisal is based on the fact that records in this series may document investigations that eventually lead to legal action.

**AGENCY:** Department of Health. Division of Family Health and Preparedness.  
Bureau of Child Development

**SERIES:** 25431

**TITLE:** Unlicensed child care provider case files

(continued)

**PRIMARY CLASSIFICATION:**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 07/2015.